

**SUPREME COURT MINUTES  
WEDNESDAY, MARCH 8, 2006  
SAN FRANCISCO, CALIFORNIA  
AMENDED**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 8, 2006, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Moreno, and Corrigan.

Absent: Associate Justice Chin, but will participate in consideration of the following cases.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

Justice Chin and Justice Corrigan, not participating in consideration of the following case, did not take the bench.

The Honorable Paul Boland, Associate Justice, Court of Appeal, Second Appellate District, Division Eight, and Honorable Judith L. Haller, Associate Justice, Court of Appeal, Fourth Appellate District, Division One, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S122590      In re Fred Harlan Freeman  
                                 on  
                                 Habeas Corpus.

Cause called. Gary Sowards, Habeas Corpus Resource Center, argued for Petitioner.

Geoffrey S. Lauter, Office of the Attorney General, argued for Respondent.

Mr. Sowards replied.

Cause submitted.

S126780 Californians for an Open Primary et al., Petitioners,  
v.  
Bruce McPherson, as Secretary of State, etc., Respondent;  
Legislature of the State of California, Real Party in Interest.  
Cause called. Kathleen J. Purcell, argued for Real Party in  
Interest.  
Frederick D. Woocher, argued for Petitioners.  
Ms. Purcell replied.  
Cause submitted

S130174      The People, Plaintiff and Respondent,  
                         v.  
                 Daniel Lyon Thompson, Defendant and Appellant.  
                 Cause called. Gerald Franklin, Office of the City Attorney,  
                 argued for Respondent.  
                 Richard Lennon, California Appellate Project, argued for  
                 Appellant.  
                 Mr. Franklin replied.  
                 Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.  
Members of the Court and Officers present as first shown.

Justice Werdegar, not participating in consideration of the following case, did not take the bench.

The Honorable Norman L. Epstein, Associate Justice, Court of Appeal, Second Appellate District, Division Four, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S126397      City & County of San Francisco et al., Plaintiffs and Appellants,  
                         v.  
                         Cobra Solutions, Inc. et al., Defendants and Respondents.  
                         Cause called. Jeffrey Laurence, Office of the Attorney General,  
                         argued for Respondent.  
                         John Halley, Court-appointed counsel, argued Appellant.  
                         Mr. Laurence replied.  
                         Cause submitted.

S119230      The People, Plaintiff and Appellant,  
                         v.  
                         John Medley Johnson, Defendant and Respondent.  
                         Cause called. Ron Boyer, Office of the Public Defender argued  
                         for Respondent.  
                         Doug MacMaster, Office of the District Attorney, argued for  
                         Appellant.  
                         Mr. Boyer replied.  
                         Cause submitted.

Court adjourned.